

BOX AF

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3764**

PATENT

102.0010-01000

Customer No. 22882

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Gary K. Michelson, M.D.

Serial No: 08/480,461

Filed: June 7, 1995

For: INSTRUMENTATION FOR THE
SURGICAL CORRECTION OF HUMAN
THORACIC AND LUMBAR SPINAL
DISEASE FROM THE LATERAL
ASPECT OF THE SPINE (as amended)

Group Art Unit: 3764

Examiner: M. Brown

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated
September 18, 2001 of the Examiner.

The item(s) checked below are appropriate:

1. ☐ A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2. ☒ A Petition for extension of time to further extend the period for response to March 18, 2002 is enclosed.
3. ☒ The Appeal Fee of \$320.00

☐ is enclosed or ☒ is to be charged to Deposit Account No. 001000006 501868 08480461

4. ☐ A check for \$*** to cover the above fees is enclosed. 01 FC:119 320.00 CH

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: March 18, 2002

By: 

Thomas H. Martin
Registration No. 34,383

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which correspondence is
to be sent)

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